

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFREY M. HEALEY,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION
)	NO. 01-11099-NG
ROBERT MURPHY, et al.,)	
)	
Defendants.)	
and)	
)	
JOEL PENTLARGE,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION
)	NO. 04-30177-PBS
ROBERT MURPHY, et al.,)	
)	
Defendants.)	

ORDER

After consideration of the relevant pleadings and arguments of counsel, the Motion to Consolidate Cases (Docket No. 78 in Case No. 01-11099-NG; and Docket No. 71 in Case No. 04-30177-PBS) is ALLOWED, provided that any party may move to sever the cases for trial if appropriate. Based on the present record, this court finds that there are common issues of law and fact, and that consolidation will be more efficient and serve the interests of justice. Moreover, the defendants have not shown “demonstrable prejudice” by consolidation. See Seguro de Servicio de Salud de Puerto Rico v. McAuto Sys. Group, Inc., 878 F.2d 5, 8 (1st Cir. 1989).

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

DATED: September 28, 2005